

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RICHARD GENE REES,

Plaintiff,

v.

CV No. 21-29 MV/CG

CLOVIS POLICE DEPARTMENT, et al.,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte*. The record reflects that certain mailings to Plaintiff Richard Gene Rees were returned as undelivered. See (Doc. 13). At the time this case was commenced, Mr. Rees was incarcerated at the Curry County Adult Detention Center. (Doc. 1). The returned mail indicates that Mr. Rees is “no longer here.” (Doc. 13). The Curry County Adult Detention Center records show that Plaintiff Rees was booked into the Curry County facility on November 14, 2020, released from custody on February 5, 2021, booked again on April 9, 2021, released again on April 29, 2021, booked a third time on June 29, 2021, and released a third time on July 29, 2021. Mr. Rees is not presently at the Curry County Adult Detention Center and there is no current mailing address available for him.

It appears that Mr. Rees has been transferred or released from custody without advising the Court of his new address, as required by D.N.M. LR-Civ. 83.6, thus severing contact with the Court. Because Mr. Rees has failed to comply with the Court’s local rules, he will be required to show cause why this action should not be dismissed. See *Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980) (“It is incumbent on litigants, even those proceeding pro se, to follow the federal rules of procedure . . . The

same is true of simple, nonburdensome local rules . . .") (internal citation omitted).

Failure to comply with this Order may result in dismissal without further notice.

IT IS THEREFORE ORDERED that by **December 2, 2021**, Plaintiff Richard Gene Rees shall notify the Clerk in writing of his current address or otherwise show cause why this action should not be dismissed.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE